

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

DANAE SCHMITZER,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:22-cv-01038-BAM

**ORDER REQUIRING PLAINTIFF TO FILE  
LONG FORM APPLICATION TO PROCEED  
IN FORMA PAUPERIS**

(Doc. 2)

**TWENTY-ONE DAY DEADLINE**

On August 17, 2022, Plaintiff Danae Schmitzer (“Plaintiff”), through counsel, filed this action seeking judicial review of a final decision of the Commissioner of the Social Security Administration. (Doc. 1.) Plaintiff did not pay the filing fee and instead filed an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (Doc. 2). However, Plaintiff’s application is insufficient for the Court to determine if Plaintiff is entitled to proceed without prepayment of fees in this action. Notably, Plaintiff has reported receiving \$5,000 per month from Plaintiff’s father to pay monthly expenses. (*Id.* at 2.) Plaintiff’s monthly expenses are not identified.

Accordingly, the Court will order Plaintiff to complete and file an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO 239. If Plaintiff is

unwilling to complete and submit the long form application, Plaintiff must pay the filing fee in full.

Based upon the foregoing, it is HEREBY ORDERED that:

1. The Clerk of the Court is directed to forward an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO 239 to Plaintiff;
2. Within **twenty-one (21) days** of the date of this order, Plaintiff shall either (1) pay the \$402.00 filing fee for this action, or (2) complete and file the enclosed Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO 239; and
3. If Plaintiff fails to comply with this order, this action shall be dismissed.

IT IS SO ORDERED.

Dated: August 18, 2022

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE